IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.41191 of 2008
MD.MUSTAQUE, S/o Md. Mohiuddin, R/o Village –
Bhokraheen, P.S. Kishanpur, Distt. Supaul.
Versus
THE STATE OF BIHAR through Vigilance Department, Patna.
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2. 03.12.2008. Heard.

A complaint to the Vigilance by Shaligram Singh led to execution of a successful trap operation. On execution of the trap operation, the Officers of the Vigilance Department reported that the petitioner, who came to the place where the trap had been laid, was seen fleeing away. They have opined that the petitioner was a tout, i.e., a Dalal; in other words, an agent of the person, who was nabbed in course of the said operation.

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Shaligram Singh in his complaint did not name the petitioner at all. The preliminary investigation, on the basis of the complaint of Shaligram Singh, which led to laying down of the trap, did not utter a word of any agent of the person, who was aimed to be trapped. Taking these factors into account, I allow the application of the petitioner for grant of anticipatory bail.

In the event of arrest or surrender of the petitioner

within six weeks from today, let the petitioner, namely, Md. Mustaque be released on bail on his furnishing bond in the sum of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance II, Patna in connection with Vigilance P.S. Case No. 16/2008, Spl. Case No. 8/2008, subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Barin Ghosh, J.)

dk

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